

**MINUTES OF DUBLIN BOROUGH  
PLANNING COMMISSION MEETING  
MONDAY, SEPTEMBER 19, 2022**

**1. CALL TO ORDER:** The September 19, 2022, meeting of the Dublin Borough Planning Commission was held at Borough Hall, 119 Maple Ave., Dublin, PA. Commission Chairman Gary Mast called the meeting to order at 7:30 p.m.

**PLANNING COMMISSION MEMBERS PRESENT:**

Gary Mast  
Robert Morris  
Eugene Miller  
Brent Smith\*\*  
Thomas Rymdeika

**APPOINTED OFFICIALS PRESENT:**

Borough Manager:	Colleen M. Pursell
Borough Solicitor:	Michael Kracht, Esq. ( <i>telephone</i> ) Caroline Zook, Esq.
Borough Engineer:	Thomas F. Zarko, P.E.
Borough Traffic Engineer:	Jamie Kouch, P.E.
Fire Chief:	Kevin Nugent
Borough Council:	Matthew Mayes

\*Not Present

\*\*Late Arrival

**2. Pledge of Allegiance:** Chairman Gary Mast led the Planning Commission and audience in the Pledge of Allegiance.

**3. Approval of Minutes:**

**3.1. Minutes of the Planning Commission Meeting of August 8, 2022:**

**MOTION:** A Motion was made by Mr. Miller, seconded by Mr. Rymdeika and on a vote of 4-0, to accept the August 8, 2022 minutes.

**4. Discussion Items:**

**4.1. 144 N. Main Street Land Development Agreement, Morning Development, LLC:** Attorney Ms. Kellie McGowan Esq., Jake Modestow, Stonefield Engineering and Design were present.

Ms. McGowan opened the meeting by informing the Planning Commission that the applicant has resubmitted their plans. They are in receipt of review letters from Mr. Zarko dated September 14, 2022 and a review letter from McMahan dated September 15, 2022. In addition, the applicant has forwarded a letter from Whistlewood Apartments dated September 1, 2022 to the Borough addressing the access rights to Manor Drive. In addition a document was submitted addressing an access agreement with the adjacent property owner at 164 North Main Street.

Mr. Kracht confirmed that he spoke with the solicitor from the Zoning Hearing Board and they will grant the applicant relief for the buffers. Ms. McGowan stated that the applicant did submit an updated waiver letter which had conditions they had talked about at the last meeting. Ms. McGowan believes the waiver letter is complete. There has been an agreement of conditional approval that the more distinctive renderings (the colors, finishes, décor...) that were shown at the meeting will be incorporated into the approval resolution. In addition, the applicant discussed the EDU issue, and they received information from Mr. Zarko and Mr. Kracht regarding the re-rating report. They have requested their pro rata portion of the cost for the study. Ms. McGowan previously sent a letter to Mr. Kracht requesting a review of the Zoning Ordinance for the definition of building height. Mr. Kracht explained that as long as you are not closing an area, it would not exceed the building height. The Boroughs height requirement for a building is 45 feet. Ms. McGowan explained that if there was an issue, they would go back to the Zoning Hearing Board. Mr. Smith joined the meeting and he assumed that they are conformed because it is structure height, not building height. A building is defined as an enclosed structure. Mr. Mast stated the roofline is where the building height stops. Mr. Kracht agrees with Ms. McGowan that the height is agreeable and will not be a zoning issue.

Mr. Mast asked about the McMahan review letter. Mr. Kouch from McMahan stated there is temporary striping along Main Street, due to the recent repaving from PennDOT. McMahan is working with PennDOT for the Borough in lieu of a new cross section along Rt. 313 (North Main St.), making it 3 lanes, so there is a center turn lane. Their goal was a minimum of 10 feet for each lane with an additional 2 feet on the shoulders, which makes it 34 feet. They were able to do that in the Borough, except for a small area in front of the applicant's property, which is only 30 -31 feet. They are asking for the little bit of widening to get to the 34 feet. Mr. Zarko stated the Ordinance requires a 48-foot widening. Mr. Smith asked if there is room to give that 3 feet. Mr. Modestow showed them the revised site plan for the 3 feet, which was to be part of public space, but now will be part of the right of way. McMahons letter also recommends the applicant provide a contribution towards modifications to the signal at the proposed site. The Borough received a grant for the project, but it needs to be matched. Mr. Mast asked if everything in the McMahons review letter is a "will comply". Ms. McGowan replied the \$7,200 for the signal modification will comply and most of the other items are also a will comply. The only thing they want the same is the loading area. Mr. Kouch stated the loading area is too close to the roadway, he will defer to PennDOT on it. Mr. Mast asked what kind of deliveries they will have. Mr. Modestow stated just neighborhood deliveries. Mr. Smith asked if it will be at the intersection by the traffic signal. Mr. Zarko stated yes, it is at the traffic signal. He also asked if they were able to get traffic signal preemption for coming in or out. Mr. Zarko stated they will park on the opposite side of the building and will cross the main entrance to make their deliveries and should be arriving during off peak hours. Mr. Modestow specified because it's private, they get to decide where the loading area will be. Mr. Smith asked how close this is to the intersection. Mr. Modestow replied it is 50 feet from the property line and 20 feet from the curve line. Mr. Smith asked if PennDOT has to approve it. Mr. Kouch stated they would make the review when the permit is applied for. Ms. McGowan reminded the Planning Commission that it is a lease hold only. The residential and commercial units will be controlled by the property owner.

Mr. Mast asked Chief Nugent if he had any updates. Chief Nugent stated their fire truck should make the turn ok, but their ladder won't reach that high. The fire company would need Doylestown and Perkasio's ladder, which would be dispatched, if needed. Mr. Smith confirmed that the Dublin Fire Company would be the first responding agency and would begin to hose down the fire until Doylestown and Perkasio arrive. Mr. Modestow explained they added two fire hydrants in the back of the building. Chief Nugent has not seen any fire alarms on the plan for the building, which are not completed yet. Mr. Modestow stated that will be in the next step to be completed.

Mr. Mast asked Mr. Zarko to summarize the outstanding items identified in his letter. Mr. Zarko stated that

the applicant has indicated that the majority of the items in his letter are a “will comply”. He is concerned with the stormwater and potential construction impacts of the proposed improvements on the adjacent property at 164 N. Main Street, who has a drainage issue. He received a letter from the property owner at 164 N. Main who indicated that he has been talking to the applicant about working with them to resolve the issues.

Mr. Zarko stated the applicant is requesting nine (9) waivers from the requirements of the Dublin Borough Subdivision and Land Development Ordinance. Mr. Zarko recommends the Planning Commission to issue a conditional preliminary plan approval, based on compliance with the McMahon and CKS review letters and a number of conditions to the waivers. The applicant should then revise the plans to address the items in the review letter and resubmit to the borough for an updated review before they appear before Council. Mr. Kracht stated he did not hear that the signs, lighting and landscaping had been reviewed with the Planning Commission with #5 on page 3 of Mr. Zarko’s current preliminary plan review letter. Mr. Mast stated that the signs will need to fall within the parameters of the Sign Ordinance. Ms. McGowan stated it is a “will comply” item. The lighting is being reviewed by the Borough’s lighting consultant. Mr. Smith asked Mr. Miller his opinion. Mr. Miller asked what the next step is. Mr. Zarko stated the next step for the applicant is going to Council with the plans for consideration of preliminary approval and then back to the Planning Commission to request a recommendation for final approval. Mr. Miller is satisfied with the plans that have been presented. Mr. Mast reviewed all the sections of the plans and is agreeable with the discussions they have had. Mr. Smith stated that everything looks good now, but noted that if the applicant does not adequately resolve any of the “will comply” items, the project will not move forward. Mr. Kracht specified that the applicant has requested both preliminary and final approval, but a preliminary approval must be first. The final approval will not be considered at this meeting. Ms. McGowan stated they do not want a denial, so they can request a withdrawal of the final approval request and she has a letter from the applicant for an extension to October 31, 2022 for preliminary and final approval. Ms. Caroline Zook reviewed the letter. Mr. Kracht will meet with Ms. McGowan before the next meeting to work on the specific items for the proposal.

Mr. Matt Mayes asked how the re-grading ties in with the preliminary approval. Mr. Zarko stated the the re-grading must be resolved with the adjacent property owner before the project can receive preliminary approval from Council. He also noted that the applicant must obtain approval from DEP for the new connections. In order for DEP to approve the connections, the rerating study must be performed before the project moves forward, which is a condition in the CKS letter.

**MOTION: A Motion was made by PC Member Brent Smith, seconded by PC Member Robert Morris, to recommend approval of the Preliminary Land Development Plans/Application pertaining to 144 N. Main Street (TMP # 10-2-20) submitted by Morning Companies, LLC contingent upon the following conditions: \*Compliance with the comments contained within the CKS Engineers, Inc. Second Revised Preliminary Plan Review Letter pertaining to the subject land development dated September 14, 2022; \*Compliance with the comments contained within the McMahon Associates Traffic Engineering Review #3 Letter (“McMahon Letter”), dated September 15, 2022; The Planning Commission also recommended granting the following waivers from the requirements of the Borough’s Subdivision and Land Development Ordinance that were requested by the applicant: a. Section 22-708.5.B. The edge of any parking area shall not be closer than 20 feet from the outside wall of the nearest building. b. Section 22-708.5.E. No less than a five-foot radius of curvature shall be permitted for all curb lines in all parking areas. c. Section 22-708.5.F. Except at entrance and exit drives, all parking areas shall be set back from the future right-of-way line, buffer yards, and all property lines at least 15 feet, subject to the Borough Engineer’s approval of the potential impacts of the proposed site improvements construction on abutting properties. d. Section 22-708.5.K.**

Every off-street parking area shall include sufficient stacking space to accommodate entering and exiting vehicles without overflowing out onto adjacent streets or service roadways, subject to the Borough Engineer's approval of access/egress driveway modification at Manor Drive that will address stacking conflicts with proposed onsite parking stalls. e. Section 22-706.3.C. No excavation or fill shall be made greater than 3:1, subject to the Borough Engineer's approval of a Geotechnical Engineering Report pertaining to the project which addresses the stability of proposed slopes/grades which are greater than the 3:1 limitation. f. Section 22-706.3.L The top or bottom edge of slopes shall be a minimum of five feet from property or right-of-way lines, subject to all property lines where the five foot setback is not provided being staked-out at the site by a registered professional land surveyor prior to the initiation of construction, and delineated by construction fencing material approved by the Borough Engineer to preclude encroachment onto adjacent properties. g. Section 22-712.2.D. Sidewalks along Main Street in the TC-2 Town Center District shall be a minimum of 15 feet wide including curb and planting/tree wells/trenches. h. Section 22-705.4. Easements. Nothing shall be permitted to be placed, planted, set, or put within area of a utility easement except lawns or suitable low ground cover, subject to provisions being incorporated into Easement Agreements absolving the Borough from restoration of any site improvements that are constructed within onsite easement areas in the event future utility maintenance is required. i. Section 22-707.2.B.1 Street Requirements. Existing streets. Dimensional standards. Main Street within the TC-2 Town Center District and PVD Planning Village. Cartway width along frontage, subject to widening of Main Street along the site frontage consistent with the recommendations provided within the McMahon Letter. Commission approved motion, 5-0.

5. **Other Business:** There was no other business at this time.

6. **Public Comments:** There were no public comments at this time.

7. **Adjournment:** Upon motion by Mr. Smith, the meeting adjourned at 8:27 p.m.

Respectfully Submitted,

Date Approved: 05/01/2013

Colleen M. Pursell  
Colleen M. Pursell, Manager/Secretary